

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Oscar Javier Davalos,

File No. 18-cv-1227 (ECT/ECW)

Petitioner,

v.

R. Marques,

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Respondent.

The Court has received the October 3, 2018 Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright. ECF No. 11. No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation [ECF No. 11] is **ACCEPTED**;
2. Petitioner Oscar Javier Davalos's Petition For Writ Of Habeas Corpus [ECF No. 1] and Motion Pursuant To Title 28 U.S.C. § 2241 [ECF No. 2] are **DENIED**; and
3. This action is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 1, 2018

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court